

DT07. Pd PCT/PTO 10 FEB 2003

#6



I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents Washington, D.C. 20231.

Date: February 4, 2003

Heather L. Gonsorick

Heather L. Gonsorick

(Name of person certifying)



20462

PATENT TRADEMARK OFFICE

Attorney Docket Number: P32328

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Camilleri, et al.	February 4, 2003
Serial No.:	10/018,547	Group Art Unit No.: Unassigned
35 USC 371 Filed:	December 12, 2001	Examiner: Unassigned
For:	Novel Compounds	

Assistant Commissioner of Patents
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.181(a) TO WITHDRAW HOLDING OF
ABANDONMENT

Applicants file this petition to withdraw an Examiner's holding of abandonment contending that the application is not in fact abandoned (see M.P.E.P. § 711.03(c)(I)). Applicants request that the Notice of Abandonment under 37 C.F.R. § 1.53(f) or (g), mailed on January 6, 2003, be withdrawn.

04/04/2003 LLANDGRA 00000101 192570 10018547

01 FC:1253 920.00 CH
02 FC:1617 130.00 CH

Statement of Facts

This application is the national stage application of international application PCT/GB00/02364. The national stage was commenced under 37 C.F.R. § 1.491 on December 12, 2001. Attached hereto as Exhibit A are true copies of 1) a Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371, mailed by Applicants by Express Mail on December 12, 2001, indicating that this was a first submission of items concerning a filing under 35 U.S.C. § 371, 2) a return post card which was stamped by U.S.P.T.O. personnel on December

Serial No.: 10/018,547
Attorney Docket No.: P32328

12, 2001 and subsequently returned to Applicants, and 3) the Express Mail receipt received from the U.S. Post Office on December 12, 2001.

On March 2, 2002, Applicants received from the U.S.P.T.O. the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US), indicating that the "[o]ath or declaration of the inventors" and a \$130 surcharge must be furnished within two (2) months from the date of the Notification. As the Date Mailed on the Notification was "02/26/2002", Applicants had until April 26, 2002 to furnish the required oath or declaration and surcharge. Importantly, the Notification provides that this time period "may be extended by filing a petition and fee for extension of time under the provisions of 37 C.F.R. § 1.136(a)". A copy of this Notification is attached hereto as Exhibit B.

On July 19, 2002, Applicants mailed by Express Mail the following, true copies of which are attached hereto as Exhibit C: 1) a Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371, mailed by Applicants by Express Mail on July 19, 2002, indicating that this was a second or subsequent submission of items concerning a filing under 35 U.S.C. § 371, 2) a return post card which was stamped by U.S.P.T.O. personnel on July 19, 2002 and subsequently returned to Applicants, 3) the Express Mail receipt received from the U.S. Post Office on July 19, 2002, 4) executed Declarations and Powers of Attorney from each of the inventors, 5) a Recordation Form Cover Sheet requesting recordation of the assignment of the inventors' interest to the assignee, and 6) the inventors' assignment. Importantly, the Transmittal Letter at item 20 indicates that a fee of \$920 for a three-month extension is submitted. Moreover, Applicants checked boxes "c" and "d" authorizing the Commissioner to charge Applicants' deposit account and providing a "[g]eneral authorization to charge any and all fees under 37 C.F.R. § 1.16 or 1.17, including petitions for extension of time relating to this application (37 C.F.R. 1.136(a)(3))".

On January 13, 2003, Applicants received a Notice of Abandonment under 37 C.F.R. § 1.53(f) or (g), indicating that the instant application is abandoned for failing

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Attorney Docket No.: P32328

"to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/26/2002", and that Applicants reply received on 12/12/2001 was improper because it did not include "the oath or declaration of all of the inventors". A true copy of the Notice is provided herewith as Exhibit D.

Points to be Reviewed

Applicants respectfully request that the Commissioner review the papers provided herewith. In particular, the Commissioner is urged to carefully review Applicants' submissions of July 19, 2002 (Exhibit C). Applicants respectfully assert that the July 19, 2002 submission was a timely and proper reply to the Notification of Missing Requirements mailed on February 26, 2002. That submission included fully executed Declarations from each of the inventors. Moreover, the July 19, 2002 Transmittal Letter included an authorization to charge Applicants' deposit account in the amount of \$920 for a three month extension of time, and a general authorization to charge any and all fees under 37 C.F.R. § 1.16 or 1.17, including petitions for extension of time. The Commissioner's attention is directed to 37 C.F.R. § 1.136(a)(3), wherein the use of an authorization to charge required fees, fees under § 1.17, or all required extension of time fees, or merely the submission of the fee set forth in § 1.17, will be treated as a constructive petition for an extension of time. The time for responding to the Notice of Missing Requirements was therefore extended by three months from April 26, 2002 (two months after the mailing date of the Notice) to July 26, 2002. Accordingly, Applicants' submission of their executed Declarations on July 19, 2002 was a proper and timely response to the Notice.

Action Requested

Applicants respectfully request that the Notice of Abandonment under 37 C.F.R. § 1.53(f) or (g), mailed on January 6, 2003, be withdrawn. Please proceed with further examination of this application on the basis of the attached copy of the papers

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Attorney Docket No.: P32328

originally filed. Acknowledgement of the active status of this application is respectfully requested.

Respectfully submitted,



William R. Majarian
Attorney for Applicants
Registration No. 41,173

GlaxoSmithKline Corporation
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5968
Facsimile (610) 270-5090

N:\Will\APPS\P-cases\P32328\Petition to withdraw abandonment.doc

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Exhibit B



UNITED STATES PATENT AND TRADEMARK OFFICE

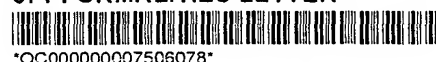
 Commissioner for Patents, Box PC1
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,547	Patrick Camilleri	P32328

INTERNATIONAL APPLICATION NO.	
PCT/GB00/02364	
I.A. FILING DATE	PRIORITY DATE
06/16/2000	06/16/1999

WRM
 Glaxosmithkline
 Corporate Intellectual Property - UW2220
 P O Box 1539
 King of Prussia, PA 19406-0939

CONFIRMATION NO. 1624
 371 FORMALITIES LETTER



OC000000007506078

Date Mailed: 02/26/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,547	PCT/GB00/02364	P32328

FORM PCT/DO/EO/905 (371 Formalities Notice)

Rec'd PGT/PTO 10 FEB 2003

Exhibit A

DOCKET No. P32328 Date Mailed 12/12/01 Atty/Secy WRM/AB ✓

MAILING: CERTIFICATE/EXPRESS MAIL # EL231308857US

U.S. Serial No. Not Yet Assigned Filing Date: Here with
Int'l App. No. PCT/GB01/02364 Int'l Filing Date: 6/16/00

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- ☐ Appln. Trans. (+ 1 copy) for: ☐ Provisional ☐ CIP ☐ Statement to Support Filing
☐ Utility/Continuation ☐ CPA ☐ RCE ☐ Divisional ☐ Copy of Notice to Comply
☐ Specification _____ pages ☒ Abstract 1 pgs ☐ Diskette
☐ Dec. & Power of Atty _____ pages () ☐ Appeal Brief _____ pages
☐ Drawings _____ Sheet(s)/Figs _____ to _____ ☐ Petition _____ pgs.
☐ Assignment _____ pages & Recordation Cover Sheet ☐ Status Request
☒ Trans. Ltr Nat'l Stage Entry (3pg.) ☐ Trans. Nat'l Stage (2nd sub)
☒ Information Disclosure Statement ☐ Resp. to Written Opinion
☒ Form PTO-1449 1 pgs. & 8 References ☐ Priority Document
☒ Amendment ☐ Response 15 pages Prelim. ☐ Notice of Appeal/Brief
☐ Petition for Extension of Time plus 2 copies ☐ Resp. to Rest. Req. _____ pgs.
☐ Issue Fee Trans. (Part B) + 1 copy ☐ Req. to Correct Filing Receipt
☐ Copy of Notice to File Missing Parts ☐ Copy of Filing Receipt
☐ Request for Nonpublication (1 pg) ☐ Correct Defects _____ pages
☒ Authorization to Charge Dep. Acct. # 19-2 10/018547

JC14 Rec'd PCT/PTO 12 DEC 2001

EL231308857US



POST OFFICE TO ADDRESSEE

ORIGIN (POSTAL USE ONLY)		
PO ZIP Code: <u>19426</u>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date in <u>12/12/01</u>	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage \$ <u>12.45</u>
Time in <u>3:00 PM</u>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight <u>5.4</u> lbs. <u>0</u> ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$ <u>12.45</u>

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Federal Agency Acct. No. or Postal Service Acct. No.		
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Customer Signature

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CORPORATE INTELLECTUAL
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KING OF PRUSSIA PA 19406-0939

P32328/WRM

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TRANSMITTAL LETTER TO THE U.S. DESIGNATED OFFICE
(DO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/02364	16 June 2000	16 June 1999

TITLE OF INVENTION
Novel Compounds

APPLICANT(S) FOR DO/US
Patrick CAMILLERI, Philippe GUEDAT, Anthony John KIRBY, and Andreas KREMER

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date December 12, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL231308857US addressed to the:

Assistant Commissioner for Patents, Washington, D.C. 20231.

Lonnie Myers
(Typed or printed name of person mailing paper)

Lonnie Myers
(Signature of person mailing paper)



20462

PATENT TRADEMARK OFFICE

Form PTO 1390 (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P32328
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
INTERNATIONAL APPLICATION NO. PCT/GB00/02364	INTERNATIONAL FILING DATE 16 June 2000	PRIORITY DATE CLAIMED 16 June 1999	
TITLE OF INVENTION Novel Compounds			
APPLICANT(S) FOR DO/EO/US Patrick CAMILLERI, Philippe GUEDAT, Anthony John KIRBY, and Andreas KREMER			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and Form PTO-1449.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☒ Please amend the specification by inserting before the first line the sentence: This is a 371 of International Application PCT/GB00/02364, filed 16 June 2000, which claims benefit from the following Provisional Application: GB 9914045.1, filed 16 June 1999.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ An Abstract on a separate sheet of paper.
19. ☐ Other items or information:


US APPLICATION NO. (if known see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/GB00/02364		ATTORNEYS DOCKET NO. P32328	
20. [X] The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 C.F.R. 1.492(a)(1)-(5)):				890.00	
Search Report has been prepared by the EPO or JPO\$890.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.492)\$710.00					
No International Preliminary Examination Fee paid to USPTO (37 CFR 1.492) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00					
Neither International Preliminary Examination Fee (37 CFR 1.492) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,040.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.492) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$890.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	32 - 20 =	12	12 x \$18.00	\$216.00	
Independent claims	1 - 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,106.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$1,106.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$1,106.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$1,106.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5968
Facsimile (610) 270-5090


SIGNATURE
William R. Majarian
NAME
41,173
REGISTRATION NO.

REC'D PGT/PTO 10 FEB 2003

Exhibit C

DOCKET No. B32328 Date Mailed 7-19-02 Atty/Secy Wern ✓
 MAILING: CERTIFICATE/ EXPRESS MAIL # EV104999143 US
 U.S. Serial No. : 10618547 Filing Date: 12-12-01
 Int'l App. No.: _____ Int'l Filing Date: _____

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- | | |
|--|--|
| <input type="checkbox"/> Application Transmittal for: | <input type="checkbox"/> Statement to Support Filing |
| <input type="checkbox"/> Provisional <input type="checkbox"/> Utility/Continuation or <input type="checkbox"/> CPA | <input type="checkbox"/> Diskette |
| <input checked="" type="checkbox"/> Dec. & Power of Atty <u>3</u> pages () | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Specification _____ pages <input type="checkbox"/> Abstract _____ pgs | <input type="checkbox"/> Appeal Brief _____ pages |
| <input type="checkbox"/> Drawings _____ Sheet(s)/Figs _____ to _____ | <input type="checkbox"/> Petition _____ pgs. |
| <input checked="" type="checkbox"/> Assignment <u>2</u> pages & Recordation Cover Sheet | <input type="checkbox"/> Status Request |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Issue Fee Trans. (Part B) |
| <input type="checkbox"/> PTO-1449 _____ References | <input type="checkbox"/> Priority Document |
| <input type="checkbox"/> Amendment /Response _____ pages | <input type="checkbox"/> Trans. Ltr Natl Stage Entry |
| <input type="checkbox"/> Petition for Extension of Time plus 2 copies | <input checked="" type="checkbox"/> Nat'l Stage (2nd sub) w/ <u>13 month extension</u> |
| <input type="checkbox"/> Affidavit / Declaration _____ pages | <input type="checkbox"/> Req. to Correct Filing Recpt |
| <input type="checkbox"/> Copy of Notice to File Missing Parts | <input type="checkbox"/> Copy of Filing Receipt |
| <input type="checkbox"/> Copy of Notice to Comply | <input type="checkbox"/> Resp. to Written Opinion |
| <input checked="" type="checkbox"/> Authorization to Charge Dep. Acct. # <u>19-2570</u> | <input type="checkbox"/> Correct Defects _____ pages |

Postcard

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ORIGIN (POSTAL USE ONLY) PO ZIP Code <u>19428</u> Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/> Flat Rate Envelope <input type="checkbox"/> Date In <u>7-19-02</u> Mo. <u>7</u> Day <u>19</u> Year <u>02</u> <input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> PM <input type="checkbox"/> AM Postage \$ <u>13.65</u> Time In <u>4</u> PM <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/> Military <input type="checkbox"/> Return Receipt Fee _____ Weight <u>3.8</u> lbs. <u>0</u> oz. Int'l Alpha Country Code _____ COD Fee _____ Insurance Fee _____ No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/> Acceptance Clerk Initials <u>W</u> Total Postage & Fees \$ <u>13.65</u>		DELIVERY (POSTAL USE ONLY) Delivery Attempt Time _____ Employee Signature _____ Mo. _____ Day _____ <input type="checkbox"/> AM <input type="checkbox"/> PM Delivery Attempt Time _____ Employee Signature _____ Mo. _____ Day _____ <input type="checkbox"/> AM <input type="checkbox"/> PM Delivery Date Time _____ Employee Signature _____ Mo. _____ Day _____ <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> WAIVER OF SIGNATURE (Additional postage insurance is void if waiver of signature is requested. If delivery is to be made without obtaining signature of addressee or addressee's agent (including employee), this office can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/> 8666 Customer Signature _____		
CUSTOMER USE ONLY METHOD OF PAYMENT: <u>X192413</u> Express Mail Corporate Acct. No. _____		Federal Agency Acct. No. or Postal Service Acct. No. _____		
FROM: (PLEASE PRINT) PHONE () _____ GLAXO SMITHKLINE CORPORATE INTELLECTUAL PROPERTY UW2220 PO BOX 1539 KING OF PRUSSIA PA 19406-0939 <u>B32328/Wern</u>		TO: (PLEASE PRINT) PHONE () _____ ASST COMMISSIONER FOR PATENTS BOX PCT WASHINGTON DC 20231-0001		
PRESS HARD. You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com 				

PATENT
ATTORNEY'S DOCKET NUMBER P32328

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE
(DO/EO/US) - CONCERNING A FILING UNDER 35 U.S.C 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/02364	16 June 2000	16 June 1999

TITLE OF INVENTION
Spermine-Peptide-Based Surfactant Compounds

APPLICANT(S) FOR DO/US
Patrick CAMILLERI, Philippe GUEDAT, Anthony John KIRBY, and Andreas KREMER

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this dated July 19, 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV104999143US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Holly A. Magee
(Typed or printed name of person mailing paper)

Holly A. Magee
(Signature of person mailing paper)



20462


PATENT TRADEMARK OFFICE

US APPLICATION NO. (if known see 37 CFR 1.50) 09/077,263		INTERNATIONAL APPLICATION NO. PCT/GB00/02364		ATTORNEYS DOCKET NO. P32328	
20. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> one month extension.....		\$ 110		920.00	
<input type="checkbox"/> two months extension.....		\$ 400			
<input checked="" type="checkbox"/> three months extension.....		\$ 920			
<input type="checkbox"/> four months extension (not beyond statutory time period).....		\$1,440			
<input type="checkbox"/> fifth month extension.....		\$1,960			
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	\$0.00	
Independent claims	- 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1050.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$1050.00	
Processing fee of \$130.00 for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$1050.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$1050.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
GLAXOSMITHKLINE
 Corporate Intellectual Property - UW2220
 P.O. Box 1539
 King of Prussia, PA 19406-0939
 Phone (610) 270-5968
 Facsimile (610) 270-5090



 SIGNATURE/
 William R. Majarian

NAME
 41,1473
 REGISTRATION NO.

Exhibit D



Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/018,547		Patrick Camilleri	P32328

Glaxosmithkline
Corporate Intellectual Property - UW2220
P O Box 1539
King of Prussia, PA 19406-0939

CONFIRMATION NO. 1624

**ABANDONMENT/TERMINATION
LETTER**



OC000000009334932

Date Mailed: 01/06/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/26/2002.

- The reply received on 12/12/2001 was improper. The reply did not include:
 - The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Creation date: 11-07-2003
Indexing Officer: VDELTS - VIVIAN DELTS
Team: OIPEBackFileIndexing
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